

## CONTROL OF RATES IN CITY IS PROVEN

Commonwealth Establishes  
Principal Fact in Case Against  
Insurance Men.

## BEGINNING OF BITTER FIGHT IN POLICE COURT

Only Twelve of Twenty-three De-  
fendants Appear in Person and  
Bonds of Absentees May be For-  
feited—Three of Numerous Wit-  
nesses Examined—Continue Today.

That the Southeastern Underwriters' Association, with headquarters at Atlanta, Ga., exists and, through its Virginia committee, fixes and controls rates for fire insurance in the city of Newport News, was established by the commonwealth during the first day of the trial before Police Justice Brown of twenty-three officers and members of the underwriters' association on warrants charging them with unlawfully, etc., conspiring to fix and control rates for fire insurance in Newport News. These facts practically were admitted by the defense when, after a grilling examination of O. D. Pitt, of Richmond, treasurer of the Virginia Fire and Marine Insurance Company, by the attorneys for the commonwealth had brought forth a statement covering the existence of the association, the nature of its organization and its rate making machinery, counsel for the defendants offered in evidence one of the association's rate books.

At one time yesterday it appeared that this trial might last indefinitely. But the indications now are that it will not be necessary for the commonwealth to introduce half of the witnesses who have been summoned, and the hearing may be concluded this week. It is possible, even, that an agreement upon the facts may be reached by counsel, and the case fought out on the legal question of whether or not the rate-making feature of the combination is unlawful.

**Strenuous Fight On.**  
Commonwealth's Attorney C. C. Berkeley, supported by R. M. Lett and W. C. Stuart, is conducting a vigorous prosecution of the case. O. D. Batchelor and J. Winston Read, counsel for the defendants, are fighting strenuously to protect the interests of their clients. The first day brought forth some lively and heated skirmishes between the attorneys, and it is apparent that battle during the next two or three days is not going to be a tame one.

**Only Twelve Present.**  
When Justice Brown convened his court in the Corporation Court room yesterday morning at 10 o'clock, only twelve of the twenty-three men arrested at Hot Springs answered to their names. Only one member of the executive committee, W. R. Prescott, president of the association, answered, and Daniel B. Harris, of Atlanta, who was president at the time of the recent ten per cent. increase in insurance rates here, was among the eleven missing. Captain Berkeley said he would move that the bonds of \$500 each of the absentees be declared forfeited. Mr. Batchelor asked that the court, in certifying to the Corporation Court the non-appearance of the eleven defendants note the fact that these gentlemen appeared by counsel and were ready for trial.

The defendants present were: W. R. Prescott, Atlanta, Ga., president of the association; A. B. Andrews, Atlanta, general manager; L. R. Warren, Richmond, chairman of the Virginia committee; A. H. Harris, Richmond,

secretary of the Virginia committee; H. G. Chatterly, Baltimore; E. B. Dewey, Goldsboro, N. C.; George McGonigle, Norfolk; B. A. Hamlin, Danville; E. H. Jones, Richmond; Jefferson Pierce, New York; W. R. Robins, Richmond and A. M. Travers, Richmond.

The absentees: R. T. Caldwell, Guy Carpenter, Geo. H. Collins, R. M. Hughes, J. S. Middleton and H. M. Tanner, all of Atlanta, Ga.; A. L. Brooks and Daner Blackmor, of Columbus, Ga.; B. J. Smith, of Charlotte, N. C., and H. C. Hare, of Jacksonville, Fla.

**Witnesses Excluded.**  
Justice Brown asked all of the defendants present to take seats in the jury box, saying he didn't like to try anybody he couldn't see.

All of the forty-eight witnesses for the commonwealth were called to the bar and sworn, then they were excused from the court room. The departure of the witnesses almost cleared the court room of what had seemed to be quite a crowd of spectators.

Col. Joseph Button, State commissioner of insurance, who will be a witness for the commonwealth, remained in the courtroom by agreement and invitation of counsel.

Counsel for both sides said they were ready to begin trial, and the court proceeded to read the warrants. There were two warrants, each charging the same offense; the names of all the defendants appearing in the two, some names appearing in both and others only in one. Captain Berkeley explained that the warrants were in this shape because all of the defendants were not known to him at the time the warrants were issued and he started for Hot Springs.

Messrs. Batchelor and Read objected to going to trial on both warrants, contending that as the same offense was charged in each, a conviction under one would make a conviction under the other impossible. The commonwealth contended that as each warrant charged the defendants with conspiring between themselves and parties unknown, there could be a conviction under both.

Captain Berkeley had prepared an amended warrant containing the names of all the defendants, but he did not submit it to the court, it being agreed to proceed with the trial on the two warrants, counsel for the defense reserving the right to argue further on their contention.

**"A Good Trust."**  
It is obvious from the nature of the cross-examination conducted by counsel for the defense that the defendants propose to base their claim for acquittal upon a contention that the fixing of rates by the underwriters' association results in great benefit instead of great injury to the insuring public; that while it is true that the association controls rates in Newport News and elsewhere, this is a "good trust," which gives the people fair and equitable rates and teaches them how to save their property by reducing the hazard.

Captain Berkeley contends that a combination controlling or tending to control insurance rates is an unlawful conspiracy within the meaning of the common law, regardless of whether or not it be proven that excessive or oppressive rates are charged. However, this point has not been argued, and the great bulk of the testimony brought out yesterday had to do with the question of whether the operation of the underwriters' association benefits the insuring public. The two insurance men who were on the stand almost throughout the day were examined by the commonwealth first as to the existence of the association and its rate making powers, and as to the connection between the organization and the defendants. In their answers the witnesses said a great deal about the good accomplished by the association, and the cross-examination by counsel for the defense was directed almost exclusively to this line of testimony. This opened the way for rigid cross-examination of the witnesses by the attorneys for the commonwealth along the same line, although the commonwealth reserved the right to move that all such testimony be stricken out.

**Resume Hearing Today.**  
Court adjourned at 5:15 o'clock in the evening to reconvene this morning at 10 o'clock. Mr. Lett, who left the court room late in the afternoon to catch a steamer for Smithfield, where he appeared in court last night, will be on the ground again this morning.

Randolph Harrison, of Lynchburg, who was expected to be here to assist in conducting the defense, did not appear yesterday. It is said, however, that he will be on hand when the case goes to the Corporation Court, if the commonwealth secures a conviction in the police court.

**Commissioner Crump First Witness.**  
Commissioner of the Revenue H. W. Crump was the first witness called by Captain Berkeley. Mr. Crump submitted a list of the companies doing business here during the fiscal year ending April 30, 1910, and their agents, and of all of the companies which have paid the taxes for this year and their local agents. Mr. Crump said that he had listed one company, the Homestead, as paying the tax for this year when it had not paid, the company refusing to honor the draft for the license.

Mr. Crump testified that four companies—the London and Lancashire, Hamburg and Bremen, Equitable and

New Brunswick—for which the Somerville Trust Company is the local agent, are doing business here now, but that they have not yet paid the license tax. He had, he said, notified Mr. Somerville Tuesday that the tax was past due and that the five per cent penalty had been added. Mr. Somerville replied, the witness said, that he would pay the tax as soon as the court trial is over.

**Justice Wants Information.**  
"What excuse can Mr. Somerville give you for not paying license taxes for companies which are still doing business here?" asked Justice Brown. The justice informed the accused that his question was merely a side issue and had nothing to do with the trial. Mr. Crump replied that Mr. Somerville was waiting for some adjustment of the insurance matter. Mr. Crump was not cross-examined by counsel for the defense and was excused.

Captain Berkeley next offered as evidence a statement from State Insurance Commissioner Joseph Button showing the amounts of money paid by a hundred or more fire insurance companies into the coffers of underwriters and tariff associations during the year ending December 31, 1909.

**Mr. Batchelor Objects.**  
Mr. Batchelor objected to the admission of this statement on the ground that it was irrelevant. He said that the counsel for the state had not shown what it intended to prove by this statement nor did the statement itself show to what associations the companies named paid the sums contained in the list. A heated argument between counsel ensued. Mr. Stuart said that he thought the state should be allowed to introduce the links of its chain of testimony in the sequence that the counsel thought best. Captain Berkeley argued along the same lines, but Justice Brown ruled that the state should introduce this testimony at such time as it would be relevant to the case at issue.

**O. D. Pitt First Witness.**  
O. D. Pitt, of Richmond, treasurer of the Virginia Fire and Marine Insurance Company, was the next witness called by the state. Mr. Pitt was allowed to go on the stand at this time because he desired to return to Richmond yesterday evening as he had important business to attend to in his office. Captain Berkeley began the direct examination of the witness by asking him what part of the \$14,076.22 paid by his companies to underwriters' and tariff associations in 1909 was paid to the Southeastern Underwriters' Association. Mr. Batchelor objected on the ground that this association was not on trial and that information concerning it had nothing to do with the case.

Justice Brown overruled the objection of counsel for the defense.

**Witness Finally Remembers.**  
The witness could not remember what sum his company paid the Southeastern association last year. Counsel for the state and Justice Brown tried to get the witness to refresh his memory by suggesting sums to him. The witness said that he did not know for what purpose he had been summoned and as he was "not a mind reader" he had not refreshed his memory on these points before coming here. Finally the witness said that his company paid the Southeastern association about \$4,000 last year.

"How do you determine how much your company shall pay the association each year?" asked Captain Berkeley.

Mr. Pitt replied that the association was paid a certain percentage of the premiums received by the company in those states where the Southeastern Underwriters' Association has charge of the rates. Replying to questions, the witness said that the annual toll is paid by checks drawn in favor of the association and sent to the main office of the organization at Atlanta, Ga. Witness said that he received vouchers for the amount paid from the association. He could not remember who signed the vouchers, nor could he remember whether or not the association had a treasurer.

"Why does your company make that payment to the association? What is the consideration for the payment?" asked the commonwealth's attorney.

**Defends Insurance Trust.**  
"The Southeastern Underwriters' Association is here to serve the public," declared the witness. "To a great extent the insured receive the benefits accruing from this association." The witness was about to continue when Captain Berkeley interrupted him to say that he doubted that Messrs. Batchelor and Read were competent to make argument to the court in defense of the association and that the witness should confine his statements to an answer of the question asked.

Mr. Batchelor contended that the witness was answering the question and after a brief argument, which was terminated by Justice Brown, the witness continued. He went on to say that the "facts show that the association has improved the physical conditions and reduced the rates of insurance. His company, he said, paid the association for giving it the proper rates." The records, he said, showed that the tendency is to reduce the rates wherever possible.

**Gets Rates from Association.**  
Witness was asked where his company gets its rates and he replied that it received the rates from the as-

(Continued on Third Page.)

## A BRILLIANT WEDDING

Miss Mordecai the Bride of  
Judge Walker.

## RECEPTION AT WARWICK

Bridal Party, Including Distinguished  
Visitors, Guests of Honor at Enter-  
ment Given by the Bride's Parents  
—Social and Personal Notes.

One of the most brilliant weddings that has taken place in Newport News in several years was solemnized at St. Paul's Episcopal church at 5 o'clock last night when Miss Alma Locke Mordecai, daughter of Mr. and Mrs. Henry Mordecai, of New Orleans, became the bride of Judge Platt Dickinson Walker, associate justice of the Supreme Court of Appeals, of North Carolina. The church was filled to its utmost capacity by society folk of this city and section and many fashionable guests from a distance.

The church was elaborately decorated with palms, daisies, sweet peas, lilies, ferns, candelabra and candles. The chancel and main aisle were canvassed in white and the foot of the chancel was decorated with palms, ferns, daisies and candelabra. The altar was decorated with large standing palms, lilies, daisies, ferns and sweet peas and there were many lighted candles above the altar.

Miss Mordecai entered the church with her father, who gave her in marriage. She wore a beautiful gown of white lace over duchess satin and carried bride's roses. Her wedding veil was held in place by a coronet of wedding blossoms. The bride was met at the chancel by Judge Walker and Judge Browne, associate justice of the North Carolina Supreme Court, who was the best man. Rev. Thomas C. Darst, rector of the church, officiated at the foot of the chancel, but when the bride and groom moved to the altar for the betrothal Bishop Cheshire, of North Carolina, officiated.

The bride was attended by Mesdames John Herbert Claiborne, of New York; William Edward Holt, of North Carolina; and Cecil L. Cornelius, of this city, sister of the bride, as dames of honor. Mrs. Claiborne wore a costume of white chiffon cloth over pink messaline and carried pink roses. Mrs. Holt and Mrs. Cornelius wore pink chiffon cloth over pink messaline and carried pink roses. Misses Alice Davis, of Wilmington, N. C.; Amy Preston Bridges, of Asheville, and Cora Dimmock, of this city, attended as bridesmaids. They wore costumes of pink chiffon cloth over pink messaline and carried pink roses. The flower girls, Misses Louise Manning, of Durham, N. C.; and Sallie Cameron, of Raleigh, wore dainty frocks of white lingerie with pink ribbon and carried baskets of flowers.

Judge Manning and Judge Cradford Briggs, associates of the groom on the Supreme Court of North Carolina, and Willie Dowd, of New York; Walter C. Mordecai, of New York; Henry A. Mordecai, and Herbert Mordecai, of New Orleans; Charles Tillett, of Charlotte; Thomas Settle, of Asheville; John Moseley Walker, of Baltimore and Settle Mockery, of Rockingham, N. C., were the groomsmen.

As the bridal party entered the edifice, William G. Robertson, organist of St. Paul's, rendered the bridal chorus from Lohengrin and during the service the intermezzo from "Cavalleria Rusticana" was played. Medelssohn's wedding march was rendered as the recessional.

Immediately after the ceremony the bridal party repaired to the Warwick hotel, where the bride's parents tendered a delightful reception in the parlors of the hotel. The decorations were elaborate and the function was a brilliant one.

Judge and Mrs. Walker will leave today on their wedding trip, which will extend over a period of several weeks, and at its conclusion they will be at home to their friends in Raleigh, N. C.

Among the out-of-town guests attending the wedding were: Judge and Mrs. Manning and Miss Manning, of Durham, N. C.; Mrs. B. Bridges and Miss Bridges, of Asheville, N. C.; Miss Alice Davis, of Wilmington, N. C.; Mrs. E. M. Holt, of North Carolina; Col. and Mrs. Cameron, of Raleigh, N. C.; Mrs. John Claiborne, of New York and Henry A. Mordecai, of New Orleans; Senator Lee S. Overmon, Thomas Settle and Charles Willett, of North Carolina; Pembroke Jones, of New York; John Moseley Walker, of Baltimore, and Herbert Q. Mordecai, of New Orleans.

Mrs. Samuel R. Buxton and Miss Cora Dimmock entertained the bridal party at a buffet luncheon at Mrs. Buxton's home in North End yesterday afternoon. This was the last of a series of entertainments which has

been given by society folk of this city in honor of Miss Mordecai during the past week.

A very pretty home wedding was solemnized at 4:30 o'clock yesterday afternoon when Miss Ada Read, daughter of Mr. John Henry Read, of this city, and Mr. John Wilmer Casey, of Williamsburg, were married at the home of the bride's sister, Mrs. Willie J. Knight, 2405 Chestnut avenue. Rev. J. T. Riddick, pastor of the Second Baptist church, performed the ceremony in the presence of many of the friends and relatives of the bride and groom.

The house decorations were very elaborate, the entire lower floor being thrown into one room and canvassed in white. The ceremony was performed before an improvised altar of tall palms and ferns at the end of an aisle made by pedestals entwined with Southern smilax, and illuminated with lighted tapers with pink shades. Standing palms, smilax and candelabra with pink shades, were used in the background. Cut flowers were placed in vases on tables and about the rooms and the staircase was run with wild honey suckle, smilax, pink rambler roses and elder blossoms.

Miss Read wore a white lingerie frock trimmed with Baby Irish and val lace and carried a bouquet of pink and white sweetpeas and orchids. She was attended by Miss Lucy Casey, who wore a gown of white lingerie and carried pink roses. Little Misses Margaret Renalds, of Lewiston, Pa., and Emilie Knight, of this city, nieces of the bride, were the flower girls. They wore dainty lingerie frocks, one with pink and the other with blue ribbons and carried baskets of flowers. Thompson C. Read, of North Carolina, attended the groom as best man.

As the bridal party entered the parlor, Miss Louana Thompson, of Tazewell, rendered the bridal chorus from Lohengrin and Mendelssohn's march was played as the recessional. "Hearts and Flowers" was played and sung by Miss Thompson during the ceremony.

Immediately after the marriage an informal reception was held in the dining room, which was decorated in pink, white and green. In the center of the table a lace center piece was placed holding a large bowl filled with pink and white carnations. The standing decorations of the dining room were similar to those in the parlor the same ornamentation being carried out.

Mr. and Mrs. Casey left last night on a Northern tour, including visits to Washington, Philadelphia and Atlantic City, and on their return they will be at home to their friends in Williamsburg after July 1.

Among the out-of-town guests at the wedding were: Mr. and Mrs. J. W. Casey, and Miss Casey; Mr. and Mrs. Bozarth, all of Williamsburg; Miss Willie Read, of Washington, D. C.; Captain and Mrs. Nugent, of Old Point; Mr. J. P. Alexander, of Wheeling, W. Va.; Mrs. W. F. Renalds and daughter, of Lewiston, Pa.; Miss Margaret Peale, of Harrisonburg, Mr. and Mrs. Albert Burruss, Mr. Eugene Burruss and Miss Kirk, of Norfolk; Thomas C. Reed, of North Carolina.

Miss Roberta Reese, who has been visiting her cousins, the Misses Reese, on Twenty-fifth street, left yesterday for her home in Harrisburg, Pa. Miss Alma Reese accompanied her and will spend two weeks visiting relatives in Pennsylvania.

Mrs. Warren J. Smith who is being treated by Dr. Stuart McGuire at St. Luke's hospital, Richmond, Va., is reported to be improving. She will undergo an operation before returning home.

Miss Jay Crosser has returned from a very pleasant visit to relatives and friends in Petersburg where she will soon return to pursue her musical course.

Mrs. Mary C. Reynolds and Mrs. Saxon W. Holt and children, left yesterday for South Boston, where they will spend several weeks with relatives.

Mr. Albert Hughes, who has been attending the Virginia Polytechnic institute, returned home yesterday to spend the summer with his parents in North End.

Mr. Robert Smith, who has been visiting his sister, Mrs. J. A. Islin, in North End, has returned to his home in Portsmouth.

Mrs. Nancy Fulcher and Mrs. Pentz, who have been visiting Mrs. S. J. Hopkins, on the Boulevard, have returned to their home in Richmond.

Miss Nellie Irving, who has been visiting relatives in Roanoke and Lynchburg, has returned to her home in this city.

Miss Marie McKie, of Kansas City, Mo., is the guest of her cousin, Miss Florence Holt, at "The Houston."

Miss Irma Baker, who has been visiting relatives in Richmond, has re-

turned to her home in this city.

Mr. W. J. Nelms, on the Boulevard, has as his guest, his sister, Mrs. J. L. Baxley, of Fauquier county.

## FALL PROVES FATAL.

Prominent Virginia Lady Dies at Daughter's Home Near Crewe.  
(By Associated Press.)  
ROANOKE, Va., June 8.—Mrs. Mary A. Horner, aged 87 years, and prominently connected, died early today at Woodland, the home of her daughter, near Crewe, Va., as the result of a fall from the window of her bed room sometime during last night. She was the great grandmother of Judge W. A. Watson, of the Fourth judicial circuit of Virginia.

Three Sailors Arrested.  
Lewis Lawson, Anthony Ambrose and Andrew Quickstep, sailors of the crew of the Norwegian steamer Moldegard, were arrested yesterday by Patrolmen Latimer and Brown on warrants charging them with desertion. The warrants were sworn out by the captain of the steamer.

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Just Try G. B. S. Special.  
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dread having to prepare an elaborate dinner because they are not sufficiently strong to stand over an intensely hot coal range. This is especially true in summer. Every woman takes pride in the table she sets, but often it is done at tremendous cost to her own vitality through the weakening effect of cooking on a coal range in a hot kitchen.

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Gives no outside heat, no smell, no smoke. It will cook the biggest dinner without heating the kitchen or the cook. It is immediately lighted and immediately extinguished. It can be changed from a slow to a quick fire by turning a handle. There's no drudgery connected with it, no coal to carry, no wood to chop. You don't have to wait fifteen or twenty minutes till its fire gets going. Apply a light and it's ready. By simply turning the wick up or down you get a slow or an intense heat on the bottom of the pot, pan, kettle or oven, and nowhere else. It has a Cabinet Top with shelf for keeping plates and food hot, drop shelves for coffee, teapot or saucepan, and even a rack for towels. It saves time, worry, health and temper. It does all a woman needs and more than she expects. Made with 1, 2, and 3 burners; the 2 and 3-burner sizes can be had with or without Cabinet.

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